

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

PARAGON SYSTEMS, INC.  
Employer

and

Case 31-RC-126224

UNITED GOVERNMENT SECURITY OFFICERS OF  
AMERICA, INTERNATIONAL UNION (UGSOA)  
Petitioner

and

INTERNATIONAL UNION, SECURITY POLICE, AND  
FIRE PROFESSIONALS OF AMERICA (SPFPA)  
Intervenor

ORDER

The Petitioner's Request for Review of the Regional Director's administrative dismissal of the instant petition raises no substantial issues warranting reversal of the Regional Director's action. Accordingly, the dismissal is affirmed.<sup>1</sup>

Dated, Washington, D.C., December 15, 2014.

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA, MEMBER

KENT Y. HIROZAWA, MEMBER

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<sup>1</sup> Consistent with his concurring view expressed in *FJC Security Services*, 360 NLRB No. 115, slip op. at 1-4 (2014) (Member Miscimarra, concurring), Member Miscimarra would adhere to the standard established in *MV Transportation*, 337 NLRB 770, 770 (2002), where the Board held that "an incumbent union in a successorship situation is entitled to—and only to—a *rebuttable* presumption of continuing majority status, which will not serve as a bar" to an otherwise valid rival union petition; and alternatively, Member Miscimarra believes that a successor bar under *UGL-UNICCO Service Co.*, 357 NLRB No. 76 (2011), if applied, should commence running when the successor is first required to recognize and bargain with the union rather than when the parties have their first bargaining session. Accordingly, Member Miscimarra would grant review and find that the petition warrants an election.